UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,597	01/22/2002	Gregory S. Lauer		7140

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EXAMINER
BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/054,597	LAUER, GREGORY S.
	Examiner	**Art Unit**
	Bradley Bayat	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 January 2002</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>12/2/2002</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-19 are presented for examination on the merits.

Priority

Applicant's priority claimed under provisional application 60/264,143 filed 1/25/2001 is

acknowledged.

Specification

The *abstract* of the disclosure is objected to due to its undue length. The abstract should

be a concise statement of the claimed invention under 150 words in length. See MPEP

§ 608.01(b).

The *title of the invention* is not descriptive. The applicant should also avoid using

unnecessary marks in the title of the invention. A new title is required that is clearly indicative

of the invention to which the claims are directed.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by El-Fekih et al. (hereinafter El-Fekih), US 2002/0039352 A1.

As per the following claims, El-Fekih discloses:

1. A method for generating node configuration data, comprising: forming a service level agreement template, said forming including determining a plurality of traffic classes, determining at least one required input for a first graphical user interface, and determining at least one required input for a second graphical user interface; obtaining service level agreement constraints for at least one service level agreement, said obtaining including generating said first graphical user interface, obtaining, through said first graphical user interface, indication of a selected one of said plurality of traffic classes, obtaining, through said first graphical user interface, at least one value associated with said at least one required input for said first graphical user interface, generating said second graphical user interface, and obtaining, through said second graphical user interface, at least one value associated with said at least one required input for said second graphical user interface; and generating, responsive to said selected one of said plurality of traffic classes, said at least one value associated with said at least one required input for said first graphical user interface, and said at least one value associated with said at least one required input for said second graphical user interface, node configuration data, said node configuration data describing how at least one resource in at least one networking device is to be configured to support at least one network service described by said selected one of said plurality of traffic classes, said at least one value associated with said at least one required input for said first graphical user interface (¶14-21; 43-48; figures 15, 18-20 and associated text).

2. The method of claim 1, further comprising: determining at least one default equation associated with said first graphical user interface; applying said default equation to said at least one value associated with said at least one required input for said first graphical user interface to generate a first set of outputs; and wherein said generating said node configuration data is further responsive to said first set of outputs (¶39, 83-98).

3. The method of claim 1, said forming said service level agreement template further comprising: determining at least one optional input for said first graphical user interface; determining at least one format of at least one screen display in said first graphical user interface, wherein said at least one screen format includes a first field associated with said required input for said first graphical user interface and a second field associated with said optional input for said second graphical user interface; and wherein said generating said first graphical user interface includes displaying said at least one screen display (figures 1 and associated text, ¶40-42, 104-110).

4. The method of claim 2, wherein said at least one default equation comprises program code (¶70-87; figures 3-6 and associated text).

5. The method of claim 1, wherein said determining said at least one required input for said second graphical user interface further comprises determining required information describing at least one resource associated with at least one networking device, wherein said required information associated with said at least one resource describes, at least in part, a virtual private

network (figures 18-20 and associated text).

6. The method of claim 5, wherein said required information describing said at least one resource comprises a virtual network identifier (¶37-57).

7. The method of claim 5, wherein said required information describing said at least one resource comprises an indication of whether connectivity is required between said at least one networking device and a second networking device (figure 7 and associated text).

8. The method of claim 1, wherein said forming said service level agreement template further includes: determining at least one optional input for said second graphical user interface, determining at least one format of at least one screen display in said second graphical user interface, wherein said at least one screen format includes a first field associated with said required input for said second graphical user interface and a second field associated with said at least one optional input for said second graphical user interface; and wherein said generating said second graphical user interface includes displaying said at least one screen display in said second graphical user interface responsive to said at least one format (¶32-52).

9. The method of claim 1, wherein said forming a service level agreement template comprises receiving at least one input through a third graphical user interface (¶50).

Claims 10-19 are directed to a system of the above claimed method and are rejected as above.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent 6,822,940 B1 to Zavalkovsky et al.

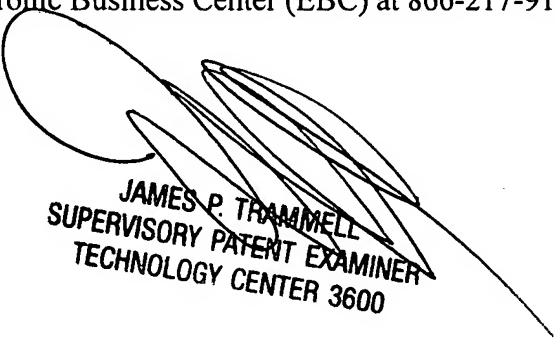- U.S. Patent 6,721,713 B1 to Guheen et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bbb

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